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Office of Intellectual Property Counsel  
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St. Paul, Minnesota 55133-3427  
612/733 1500

**PATENT**

Docket No.

43853USA1D

**Transmittal of Application Under 37 CFR 1.60**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Anticipated Classification

Please file a  continuation  divisional application under 37 CFR 1.60  
of pending prior Application No. 07/649,140 filed on January 30, 1991  
(Date)

or Tarlochan S. Purewal and David J. Greenleaf  
(Inventor(s))

for MEDICINAL AEROSOL FORMULATIONS

(Title of Invention)

1.  The enclosed application papers are a true copy of the prior application (**including the claims, drawing, and oath or declaration**). No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.

2.  Enclosed is a new application and an oath or declaration.

3.  Amend the specification by inserting before the first line the sentence:

This is a  continuation  division

of Application No. 07/649,140 filed January 30, 1991

4.  Cancel claims

5.  A preliminary amendment is enclosed.

6.  sheet(s) of drawings is/are enclosed.

7.  Transfer the drawings from the prior application to this application and abandon the prior application.

8.  This application is being filed by less than all the inventors named in the prior application. Please delete the names of the following person(s) who are not inventors of the invention being claimed in this application:

The fees for filing the application are computed as follows:

Claims As Filed, After Accounting For Any Claims Cancelled In Paragraphs 4 Or 5 Above				
(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$710.00
Total Claims	17 - 20 =	0	X \$22.00	0
Independent Claims	1 - 3 =	0	X \$74.00	0
Additional fee for filing one or more multiple dependent claims			\$230.00	0
Assignment Recording Fee			\$40.00	0
		Total Filing Fee Due	\$710.00	

9.  Enclosed is \$710.00. Please charge any additional fees or credit any over payment to Deposit Account No. 13-3723.

10.  An assignment is  enclosed or  of record in prior application.

11.  A power of attorney is  enclosed or  of record in prior application.

12.  Other Information Disclosure Statement

Respectfully submitted,

Signature

Print Name

Douglas E. Reedich

Registration Number <u>33,999</u>	Telephone Number <u>(612) 736-2704</u>
Date <u>July 2, 1993</u>	

**§ 1.60 Continuation or divisional application for invention disclosed in a prior application.**

(a) [ Reserved ]

(b) An applicant may omit signing of the oath or declaration in a continuation or divisional application (filed under the conditions specified in 35 U.S.C. 120 or 121 and § 1.78(a)) if (1) the prior application was a complete application as set forth in § 1.51(a), (2) applicant indicates that the application is being filed pursuant to this section and files a true copy of the prior complete application as filed including the specification (including claims), drawings, oath or declaration showing the signature or an indication it was signed, and any amendments referred to in the oath or declaration filed to complete the prior application, (3) the inventors named in the continuation or divisional application are the same or less than all the inventors named in the prior application, and (4) the application is filed before the patenting or abandonment of or termination of proceedings on the prior application. The copy of the prior application must be accompanied by a statement that the application papers filed are a true copy of the prior application and that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein. Such statement must be by the applicant or applicant's attorney or agent and must be a verified statement if made by a person not registered to practice before the Patent and Trademark Office. Only amendments reducing the number of claims or adding a reference to the prior application (§ 1.78(a)) will be entered before calculating the filing fee and granting the filing date. If the continuation or divisional application is filed by less than all the inventors named in the prior application, a statement must accompany the application when filed requesting deletion of the names of the person or persons who are not inventors of the invention being claimed in the continuation or divisional application. If a true copy of the prior application as filed is not filed with the application or if the statement that the application papers are a true copy is omitted, the application will not be given a filing date earlier than the date upon which the copy and statement are filed, unless a petition with the fee set forth in § 1.17(i)(1) is filed which satisfactorily explains the delay in filing these items.

(c) If an application filed pursuant to paragraph (b) of this section is incomplete, applicant will be notified and given a time period within which to complete the application in order to obtain a filing date as of the date of filing the omitted item provided the omitted item is filed before the patenting or abandonment of or termination of proceedings on the prior application. If the omission is not corrected within the time period set, the application will be returned or otherwise disposed of; the fee, if submitted, will be refunded less the handling fee set forth in § 1.21(n).

[ 50 FR 9379, March 7, 1985, as amended at 54 FR 47519, November 15, 1989. ]



PATENT  
Docket No. 43835USA1D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
TARLOCHAN S. PUREWAL AND ) Group Art Unit:  
DAVID J. GREENLEAF ) Examiner:  
Continuation of )  
Serial No.: 07/649,140 )  
Filed: JANUARY 30, 1991 )  
For: MEDICINAL AEROSOL )  
FORMULATIONS )

**EXPRESS MAILING**

"Express Mail" mailing label number RB901505429US

Date of Deposit: July 2, 1993

I hereby certify that this Transmittal of Application under 37 CFR 1.60, Preliminary Amendment and Information Disclosure Statement are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Teri J. Springer  
(Typed or printed name of person mailing paper or fee)

Teri J. Springer  
(Signature of person mailing paper or fee)